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Location: **Washington, DC**

From: **Cecilia Jaisle**

Direct Dial: **612/343-2903**

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**COMMENTS:**

Examiner Paden:

Please call me to confirm receipt of this transmission.

Cecilia Jaisle

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612-343-2903

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Gascoigne, et al.

Serial No.: 09/519,824

Filed: March 6, 2000

For: Method of Making Pasta Filata Cheese

Examiner: Carolyn Paden

Docket: 116210-77865

Group Art Unit  
1761

DO NOT ENTER

OK TO ENTER

OK AS ENTERED

CAP 10-30-01

SECOND AMENDMENTHonorable Commissioner of Patents and Trademarks  
United States Patent and Trademark Office  
Washington, D.C. 20231

Sir:

This is responsive to the Office Action issued October 2, 2001, having a shortened statutory period for response ending January 2, 2002. Reexamination and allowance of this application is respectfully solicited in light of the following amendments and remarks.

Applicants thank Examiner Carolyn Paden for the courtesy of several telephone interviews with their representative, Cecilia Jaisle, to discuss proposed changes to the claims. This Second Amendment is submitted pursuant to those interviews in an earnest effort to secure the allowance of this application. Should Examiner Paden consider that any further changes to the application are needed prior to the issuance of a Notice of Allowance, she is requested to telephone the undersigned for resolution thereof.

Authorization is given to charge our Deposit Account #50-0937 for any fees necessary for the entry and consideration of this Amendment.

IN THE CLAIMS:

Please cancel claims 1, 2, 4 - 18 and 20 without prejudice.

Please add the following new claims:

22. A method according to claim <sup>1</sup>19, wherein the fat content of the pasta filata cheese is reduced by lowering the fat content of milk used in making the curd.
32. A method according to claim <sup>1</sup>19, wherein the salt level of the pasta filata cheese is determined by adjusting the salt content of the curd before injecting steam into the blended curd.
42. A method according to claim <sup>1</sup>19, that is brine-free and wherein the melted product is blast cooled.

### REMARKS

#### I. Newly Presented Claims

Pursuant to recent telephone interview with the Examiner, the above amendments to the claims are presented to reach the allowance of this application. Claim 19 (rewritten from original claim 8) was allowed in the outstanding Office Action. Proposed claims 21 - 23 are all dependent on allowed claim 19. Claims 21 - 23 recite the subject matter of original claims 6, 7 and 9, respectively. Original claims 6 - 9 were all dependent on original claim 5. With the allowance of claim 19, Examiner Paden agreed that newly proposed dependent claims 21 - 23 would be allowable. No new matter has been introduced. 35 U.S.C. 112, 37 C.F.R. 1.132.

Applicant respectfully requests that this case be passed to issue with allowed claim 19 and 21 - 23.

#### II. Cancelled Claims

Claims 1, 2, 4 - 18 and 20 are cancelled without prejudice. Applicants reserve the right to represent these claims in a continuation application to be filed during the pendency of this application.

### III. Conclusion

It is respectfully submitted that with the present amendments to the claims, claims 19 and 21 - 23 all are allowable. Prompt issuance of a Notice of Allowance is in order and is solicited. Should the Examiner consider that any minor matters remain to be settled before issuance of a formal Notice of Allowance, the Examiner is requested to telephone the undersigned representative to achieve prompt resolution thereof.

Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached page is captioned "Version with markings to show changes made."

Respectfully submitted,

Troy Gascoigne, Brent Jewett,  
and Roger Ochsner

Dated: October 25, 2001

By: Cecilia M. Jaisle  
Cecilia M. Jaisle  
Reg. No. 28,824

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**Version with markings to show changes made**

**In the claims:**

Claims 1, 2, 4 – 18 and 20 have been canceled without prejudice.

New claims 21 – 23 have been added as follows:

21. A method according to claim 19, wherein the fat content of the pasta filata cheese is reduced by lowering the fat content of milk used in making the curd.
22. A method according to claim 19, wherein the salt level of the pasta filata cheese is determined by adjusting the salt content of the curd before injecting steam into the blended curd.
23. A method according to claim 19, that is brine-free and wherein the melted product is blast cooled.

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October 25, 2001

Honorable Commissioner of Patents and Trademarks  
United States Patent and Trademark Office  
Washington, D.C. 20231

In re application of: Gascoigne, et al.  
Serial No.: 09/519,824  
Filed: March 6, 2000  
For: Method of Making Pasta Filata Cheese

GAU: 1761  
Our File No.: 116210-77865  
Examiner: Carolyn Paden

**TRANSMITTAL LETTER**

Dear Sir:

Enclosed for filing with the United States Patent and Trademark Office, please find the following documents for the above identified application:

1. Applicant's Amendment in response to the Office Action issued October 2, 2001.

Authorization is given to charge our docket account # 500937 for any fees incurred with this filing.

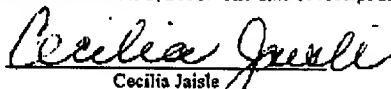
Very truly yours,

Cecilia M. Jaisle  
Patent Agent, Reg. No. 28,824

Enclosures

**Certificate under 37 C.F.R. 1.6(d) of Transmission by Facsimile**

Date of Transmission October 25, 2001. I hereby certify that the following identified correspondence is being transmitted by facsimile transmission to 703-746-7247 under C.F.R. 1.6(d) on the date indicated above and is addressed to Assistant Commissioner for Patents, Washington, D.C. 20231, including this Transmittal Letter, Amendment in response to Office Action dated October 2, 2001. The date of receipt accorded will be the date the complete transmission is received by the facsimile unit at the USPTO.

  
Cecilia Jaisle

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